

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Angel Rendon	Team: Team # 1	CCRB Case #: 201200976	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 01/23/2012 2:00 PM	Location of Incident: College Point Boulevard and Blossom Avenue	Precinct: 109	18 Mo. SOL 7/23/2013	EO SOL 7/23/2013	
Date/Time CV Reported Mon, 01/23/2012 2:36 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 01/23/2012 2:36 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. SGT Benjamin Cui	01664	932505	109 PCT
3. An officer			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. DTS Scott Roberts	03344	910566	ESS 10

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Abuse: Officers stopped § 87(2)(b)	
B. SGT Benjamin Cui	Abuse: SGT Benjamin Cui searched the car in which § 87(2)(b) was an occupant.	
C. An officer	Abuse: An officer searched the car in which § 87(2)(b) was an occupant.	
D. An officer	Abuse: An officer frisked § 87(2)(b)	

Case Summary

On January 23, 2012, § 87(2)(b) called the CCRB to report the following complaint.

On January 23, 2012, at approximately 2:00 p.m., in vicinity to College Point Boulevard and Blossom Avenue, § 87(2)(b) sat in his wife's vehicle for approximately five minutes--without speaking to anyone--until a patrol vehicle pulled up. PO1 (described as a white male, who stood 5'8", wore round glasses, was going bald, had stubble, and was in his early 40's), exited his patrol car and asked § 87(2)(b) for his driver's license, which § 87(2)(b) provided. PO1 had a partner, PO2 (described as a Hispanic male, who stood 5'8", weighed approximately 230 pounds, was going bald, had dark hair, and was in his early 40's), with whom § 87(2)(b) did not have an interaction. Thereafter, two additional officers, SGT Benjamin Cui (identified by the investigation and described as an Asian male, with three chevrons on the arm of his uniform, who stood 5'9", weighed approximately 170 pounds, was in his mid-40's, had black hair, and was named "Coi" or "Cui") and PO4 (described as an Asian male, who stood 5'8", weighed approximately 210-220 pounds, was in his mid-30s, and was going bald), arrived at the location.

At some point, an ESU truck approached the location. There were at least two officers in this ESU truck, including PO5 (described as a white male, who had strawberry blonde hair, who stood 5'10", weighed approximately 180 pounds, was approximately 50 years old, and wore a nameplate that read "Roberts"). While PO5 was at the scene, PO3 and PO4 searched § 87(2)(b)'s vehicle. While § 87(2)(b) was trying to see what PO3 and PO4 were doing, PO5 instructed him to turn around, and to let the officers go about their business. Once the search of the vehicle was completed, PO1 patted down § 87(2)(b)'s arms, legs, and groin. The officers left after this point.

SGT Benjamin Cui of the 109th Precinct matches the physical description and name provided by § 87(2)(b) for PO3. § 87(2)(g) A search of CTS revealed that out of seven white male officers with the surname "Roberts," only DTS Scott Roberts of ESU Squad #10 could have been on duty in the area. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

On January 31, 2012, the undersigned called § 87(2)(b). Before providing a statement, § 87(2)(b) expressed his desire to withdraw his complaint, § 87(2)(b).

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b) decided to withdraw his complaint of his own volition and confirmed that no one from the CCRB or the NYPD coerced him into doing so. The withdrawal conversation was digitally recorded, attached to Investigative Action #7, and reviewed by ASI Jennifer Jarett, who confirmed that it adhered to agency guidelines. § 87(2)(g)

§ 87(2)(b)

Team: _____

:

Investigator:	_____	_____	_____
	Signature	Print	Date

Supervisor:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date

Reviewer:	_____	_____	_____
	Title/Signature	Print	Date